

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

Capital Equipment Solutions, LLC  
a Michigan limited liability company

*Plaintiff(s)*

v.

Farm Properties, L.L.C. et al.

*Defendant(s)*

Civil Action No. 2:19-cv-00035-AWA-RJK

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Farm Properties, L.L.C.  
Serve Registered Agent:  
JOHN D. MCINTYRE  
101 W. MAIN ST  
SUITE 920  
NORFOLK VA 23510

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

James C. Cosby, Esq.  
Andrew P. Selman, Esq.  
901 E. Byrd Street, Suite 1600  
Richmond, VA 23219

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



*C88*

Date: 02/15/2019

Signature of Clerk or Deputy Clerk

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Civil Action No. 2:19-cv-00035-AWA-RJK

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

## **AFFIDAVIT OF SERVICE**

COMMONWEALTH OF VIRGINIA

SERVICE OTHER THAN BY VIRGINIA SHERIFF

in the:

**UNITED STATES DISTRICT COURT, EASTERN DISTRICT  
OF VA**

STATE/Commonwealth of:  
VA

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CAPITAL EQUIPMENT SOLUTIONS, LLC, ET AL

CASE NO:

In re / v.

**2:19-cv-00035-AWA-RJK**

FARM PROPERTIES, LLC, ET AL

**JOHN D. MCINTYRE, REG AGENT**

**FARM PROPERTIES, L.L.C.**

**101 W. MAIN STREET, STE 920, NORFOLK, VA 23510**

is the name and address of the person upon whom service of the following is to be made.

Document(s) **SUMMONS IN A CIVIL ACTION**

Served: **COMPLAINT**

I, the undersigned swear/affirm that I am a private process server, I am not a party to, or otherwise interested in the subject matter in controversy in this case, I am 18 years of age or older, and I served as shown below, the above named person upon whom service of process was to be made with copies described above.

Date and time of service: **2/22/2019 @ 3:22 PM**

METHOD OF SERVICE:

**PERSONAL SERVICE**

COMMONWEALTH OF VIRGINIA

CITY OF POQUOSON

Subscribed and sworn to/affirmed before me this day by

**JOHNNIE T. DAY**

who is personally known to me.

Date: **2/25/2019**

My commission expire **1/31/2023**

Dated: **2/25/2019**

Signature

Name: **JOHNNIE T. DAY**

Signature of Notary Public:

**JEKECIA K. JEFFERSON, REG #7127290**

**JEKECIA K. JEFFERSON, REG #7127290**

**Notary Public**

**Commonwealth of Virginia**

**My Commission Expires: 1/31/2023**

## Eastern District of Virginia

Civil Action No. 2:19-cv-00035-AWA-RJK

*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:19-cv-00035-AWA-RJK

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This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

## Letter of Authorization by United States Corporation Agents, Inc.

Pursuant to Section 13.1-634 of the Virginia Stock Corporation Act and other applicable law, United States Corporation Agents, Inc., located at 4445 Corporation Lane Suite 259, Virginia Beach, VA 23462, hereby designates the following natural persons:

1. Steve Kamerak
2. Bill Kamerak
3. Jessica Waddell
4. Holly Curtis
5. Lindsey Herrera
6. Josie Thomas

as person upon whom any process, notice, or demand may be served.

Executed this 28th day of January, 2019

  
\_\_\_\_\_  
John Suh  
CEO, United States Corporation Agents, Inc.

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# CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Los Angeles }

On January 28, 2019 before me, Vivian Jeffs, Notary Public,  
(Notary Public Officer)

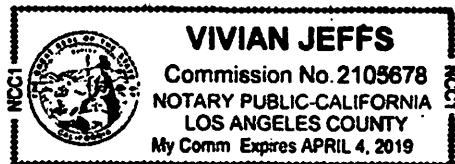
personally appeared John Suh,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Notary Public Signature

(Notary Public Seal)



## ADDITIONAL OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

Letter of Authorization  
(Title or description of attached document)  
By U.S. Corporation Agents, Inc.  
(Title or description of attached document continued)

Number of Pages 1 Document Date Jan. 28, 2019

### CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)  
☐ Corporate Officer

(Title)

- ☐ Partner(s)  
☐ Attorney-in-Fact  
☐ Trustee(s)  
☐ Other \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

## **AFFIDAVIT OF SERVICE**

COMMONWEALTH OF VIRGINIA

SERVICE OTHER THAN BY VIRGINIA SHERIFF

in the:

**UNITED STATES DISTRICT COURT, EASTERN DISTRICT  
OF VA**

STATE/COMMONWEALTH OF:  
VA

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CAPITAL EQUIPMENT SOLUTIONS, LLC, ET AL

CASE NO:

In re / v.

FARM PROPERTIES, LLC, ET AL

**2:19-cv-00035-AWA-RJK**

### **REGISTERED AGENT**

**BENNY HALL & SONS PRODUCE, LLC, UNITED STATES CORPORATION AGENTS, INC.**

**4445 CORPORATION LANE, STE 259, VIRGINIA BEACH, VA 23462**

is the name and address of the person upon whom service of the following is to be made.

Document(s) **SUMMONS IN A CIVIL ACTION**

Served: **COMPLAINT**

I, the undersigned swear/affirm that I am a private process server, I am not a party to, or otherwise interested in the subject matter in controversy in this case, I am 18 years of age or older, and I served as shown below, the above named person upon whom service of process was to be made with copies described above.

Date and time of service: **2/22/2019 @ 1:30 PM**

#### **METHOD OF SERVICE:**

*Being unable to make personal service, a copy was delivered in the following manner:*

*Delivered to person found in charge of usual place of business or employment during business hours and giving information of its purport Service accepted by:*

**JOSIE THOMAS**

Dated: 2/25/2019

Signature

Name: JOHNNIE T. DAY

COMMONWEALTH OF VIRGINIA

CITY OF POQUOSON

Subscribed and sworn to/affirmed before me this day by

JOHNNIE T. DAY

who is personally known to me.

Date: 2/25/2019

My commission expire 1/31/2023

Signature of Notary Public:

JEKECIA K. JEFFERSON, REG #7127290

**JEKECIA K. JEFFERSON, REG #7127290**

**Notary Public**

**Commonwealth of Virginia**

**My Commission Expires: 1/31/2023**